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REMARKS

Responsive to the Office Action mailed July 25, 2005, Applicants provide the following. Claims 1-3 have been amended, and new claims 61-68 have been added without adding new matter. Eighteen (18) claims remain pending in the application: Claims 1-10 and 61-68. Reconsideration of claims 1-10 in view of the amendments above and remarks below and consideration of new claims 61-68 is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Objections to the Specification

1. The specification is objected to for the inclusion of pages 51-213 which the Examiner classified as reference material unnecessary for support of the claimed invention. Applicants respectfully traverse this objection, because the material found on pages 51-213 at least in part provides support for at least originally filed claims 4-7, where, for example, claim 4 recites a "command library". Applicants respectfully submit that at least portions of the material on pages 51-213 define and/or clarify commands that may be incorporated as part of the claimed command library. As examples, support for claim 4 can be found at least on pages 95-96; support for claim 5 can be found at least on pages 107-110; support for claim 6 can be found at least on pages 110-111; and support for claim 7 can be found at least on page 111. Therefore, pages 51-213 at least provide support for the claims as filed. Further, pages 51-213 provide at least some additional support for the newly added claims 64-68. Applicants identify

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examples of support in the specification as filed for each of the new claims in paragraph 5 below.

Therefore, Applicants respectfully request the objection be withdrawn.

Rejection under 35 U.S.C. 103(a)

2. Claim 1 stands rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,564,255 (Mobini et al.) in view of U.S. Patent No. 5,987,525 (Roberts et al.), and U.S. Patent No. 6,233,736 (Wolzien).

Applicants have amended claim 1, and the applied references fail to teach or make obvious at least each element of the amended claim 1. Support for amendments to claim 1 is provided in the application as filed at least on page 35, lines 1-28. The combination of applied references fail to teach or suggest at least, "a determination whether the removable media is an enhanced media that defines access to defined network content and whether to access default network content when the removable media is not enhanced media". Mobini instead describes the ability to access network content through "change source" commands embedded in the DVD content bit stream. (See Mobini, col. 2, lines 44-52). However, Mobini does not provide at least for "default network content" or a determination of when and/or where to access default network content as recited in claim 1. Instead, the Mobini patent only describes a change source command embedded in the DVD data, and fails to suggest default network content. The Roberts and Wolzien patents also fail to teach or suggest enhanced content or a determination of accessing default network content when the removable media is not enhanced media. Therefore, the applied references fail to teach at least each element of amended claim 1, and thus amended claim 1 is not obvious in light of the combined references.

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3. Claims 2-8 and 10 stands rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,564,255 (Mobini et al.) in view of U.S. Patent No. 5,987,525 (Roberts et al.), and U.S. Patent No. 5,907,322 (Kelly et al.).

Applicants have amended claim 2, and the combined references fail to teach at least each element of amended claim 2. Support for amendments to claim 2 is provided in the application as filed at least on page 35, lines 1-28, and page 37, line 24–page 38, lines 25. The applied references fail to teach at least, “a command handler configured to ... implement commands to determine whether the removable media is an enhanced media at least instructing initial access to defined network content and whether to access default enhanced content from the readable medium when a network connection is unavailable” as recited in amended claim 2. More specifically, the Roberts and the Mobini patents fail to teach or describe at least “access[ing] default enhanced content from the readable medium when a network connection is unavailable” as recited in amended claim 2. Mobini instead describes accessing content external to the DVD media. However, Mobini does not provide at least for accessing “default enhanced content” on the DVD. Roberts describes accessing content related to an audio CD, but does not describe or suggest enhanced content or alternatively accessing enhanced content from the audio CD. Further, the Kelly patent also fails to teach or suggest at least a determination of defined network content or “default enhanced content” as recited in amended claim 2. Therefore, the applied references fail to teach at least each element of amended claim 2, and thus amended claim 2 is not obvious in light of the combined references.

Claim 10 depends from independent claim 2. Therefore, claim 10 is also not obvious in light of the combined references for at least its dependency on independent claim 2.

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Still further, with regard to claim 3, Applicants have amended claim 3 to be in independent form by including all of the relevant limitations of independent claim 2. Applicants respectfully submit that the applied references do not teach or suggest each limitation as recited in amended claim 3. For example, the combination fails to teach or suggest at least "a bookmark manager configured to generate one or more bookmarks ... preserving playback information regarding a position in an information stream ... said bookmark enabling later return to said position in said information stream" as recited in claim 3.

The Examiner states that neither the Mobini reference nor the Roberts reference teach bookmarking, and instead relies on the Kelly patent for bookmarking. (See page 6, paragraph 4 of the Office Action). However, the bookmarks in the Kelly reference cannot be equated to the bookmarking as recited in claim 3 as the bookmarks of Kelly at least do not "enable the later return to said position in said information stream" as recited in claim 3. Instead, the bookmarks in Kelly route the user to alternate content such as, for example, websites accessed over a network associated with broadcast content, and do not enable later returning to the position in the broadcast data stream as recited in claim 3. (See Kelly, col. 1, lines 25-31; and col. 1, lines 54-67.) More specifically, the Kelly patent describes the bookmarks as "a custom list of data for the user which indicates bookmarks ... [that] take the form of ... a World Wide Web (www) page on the Internet. The viewer could then view these with a generic www browser" (Kelly, col. 3, lines 24-28, emphasis added). The Kelly patent continues to describe the use of bookmarks such that

"When the viewer wants to access the various websites associated with ... [the bookmark the] viewer activates network access button ... whereupon in response, database 40 transmits to personal computing device 20 the network address of the associated website correlating to viewer's selection. Personal computing device 20 will then process the

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network address to generate the selected website or website hotlinks for access by the viewer. Thus the viewer can access desired websites ..." (Kelly, col. 5, line 56 through col. 6, line 2, emphasis added).

The bookmarks of Kelly at least do not preserve "playback information regarding a position in an information stream extracted from said readable medium ... enabling later return to said position in said information stream" as recited in claim 3. Therefore, the bookmarks described in the Kelly patent cannot be equated to the "bookmark manager configure[ed] to generate bookmarks ... [that] enable later return to said position in said information stream" as recited in claim 3 (emphasis added). Thus, a *prima facie* case of obviousness has not been established for claim 3, and therefore, Applicants respectfully request the rejection be withdrawn.

Claims 4-8 depend from claim 3. Therefore, claims 4-8 are also not obvious in light of the combined references for at least their dependency on independent claim 3.

4. Claim 9 stands rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,564,255 (Mobini et al.) in view of U.S. Patent No. 5,987,525 (Roberts et al.), U.S. Patent No. 6,233,736 (Wolzien), and U.S. Patent No. 5,907,322 (Kelly et al.).

Claim 9 depends from claim 8, which depends from independent claim 3. As demonstrated above, the combination of Mobini, Roberts and Kelly fail to teach at least each element of amended claim 3. The Wolzien patent also fails to teach at least bookmarking as recited in claim 3. Therefore, claim 9 is not obvious in light of the combined references due at least to its dependency on claim 3.

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New Claims

5. Newly submitted claims 61-66 are believed to be allowable because they are directed to that which is not shown or suggested in the applied references.

Support for new claim 61 is provided in the application as filed at least on page 36, line 22 - page 37, line 5. Support for new claim 62 is provided in the application as filed at least on pages 6-7. Support for new claim 63 is provided in the application as filed at least on pages 34-35. Support for new claim 64 is provided in the application as filed at least on pages 52-53 and 71-73. Support for new claim 65 is provided in the application as filed at least on pages 127 and 129- 131. Support for new claim 66 is provided in the application as filed at least on pages 195-196. Support for new claim 67 is provided in the application as filed at least on pages 194-195. Support for new claim 68 is provided in the application as filed at least on pages 146-147 and 156.

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CONCLUSION

Applicants submit that the pending claims are in a condition for allowance, and respectfully request a Notice of Allowance.

Respectfully submitted,

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Date


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